

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**RUBEN ASCENCIO CHAVELAZ,
ID # 267427,**

Petitioner,

vs.

**UNITED STATES DISTRICT
FEDERAL COURT (I.C.E.)**

Respondent.

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No. 3:17-CV-1402-D


ORDER

After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct. It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted, and the petition for habeas corpus filed pursuant to 28 U.S.C. § 2241 is dismissed for lack of jurisdiction.

A certificate of appealability is not required for a federal inmate to appeal the denial of relief under 28 U.S.C. § 2241. *See Padilla v. United States*, 416 F.3d 424, 425 (5th Cir. 2005). If petitioner files a notice of appeal, he must pay the \$505.00 appellate filing fee or submit a motion to proceed *in forma pauperis* and a properly signed certificate of inmate trust account.

SO ORDERED.

July 20, 2017.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE